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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/329,140	06/09/1999	TOBIAS H. HOLLERER	MS-55(115203	7744

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EXAMINER	
HUYNH, BA	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/329,140	HOLLERER ET AL.	
	Examiner	Art Unit	
	Ba Huynh	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1- 50* is/are pending in the application.

4a) Of the above claim(s) *6-24,32-38 and 43-49* is/are withdrawn from consideration.

5)☒ Claim(s) *31- 40* is/are allowed.

6)☒ Claim(s) *1-5,25-30,41,42 and 50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 1-4, 50 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,577,304 (Yablonski et al).

- As for claims 1, 50: In a computer system having a display and an input device, Yablonski et al teach a computer implemented method and corresponding system for assisting the user in decision making (via using application program), comprising the steps/means for:

accepting a decisional event from the user input device (1:50-53, 2:51-58, 59-61), the decisional event utilized as a basis to query one or more external or internal data source to gather first and second information related to the decisional event (2:59-66) to generate and display a three dimensional environment comprising a plurality of windows 12, 14, 16 (1:59-61, 3:22-33, figs 1-3), the first window 12 displays information of a first type related to the input event, the second window 14, 16 displays information of a second type related to the input event (3:8-12, 5:1-7, 6:43-51).

- As for claim 2: the display simulate a three dimensional environment of windows (figs 1-3).
- As for claim 3, 4: The first and second window represented as sides of an unfolded cube (figures 1-3).

2. Claims 1-5, 25-31, 39-42, 50 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,002,403 (Sugiyama et al).

- As for claims 1, 50: In a computer system having a video monitor device 51 and a user input device 21, 22, Sugiyama et al (hereinafter Sugiyama) teaches a computer implemented method and corresponding system for interaction with a computer display, comprising the steps/means for:

accepting a decisional/expectational/desirous event from the user input device (event generates by the user through the input device is a user decisional/expectational/desirous event, based on the user decision, expectation, and/or desire) as a basis to query one or more external or internal data sources (5:40-56, 8:5-34) to gather first and second information related to the event to generate and display a cube (6:6-11), each face of the cube displays a window, the first window displays information of a first type related to the event, the second window displays information of a second type related to the event (7:40-41).

- As for claim 2: The display simulates a three dimensional cube (6:6-11).

- As for claims 3, 4: The first and second windows represent sides of an unfolded cube (figs 4-6, 21).

- As for claim 25: In a computer system having a video monitor device 51 and a user input device 21, 22, Sugiyama et al (hereinafter Sugiyama) teaches a computer implemented method and corresponding system for interaction with a computer display, comprising the steps/means for:

a standby display state (14:44-50) which displays a cube, each face of the cube displays a window, the first window displays information of a first type related to an aspirational event (input event aspired, inclined to, or desired by the user), the second window displays information of a second type related to the event (6:6-11),

first window and second window update states during which the user can update the first or second window by entering command via the input device(6:13-33),

first and second window focus view states in which the windows are selected and arranged in a normal, head-on view (6:11-13).

- As for claim 26: When in standby state, input command can be selectively applied to bring the first window or the second window to the update state, or bring the window into focus view state (6:6-59).

- As for claim 28: Sugiyama teaches a taskbar 101 displaying miniatures of windows in standby state fails to teach the miniature tool representing the standby state (8:5-22).

- As for claim 29: 102When the first window in view state, the display interface may enters the standby state or enters the second window view state in response to user input (6:6-59).

- As for claim 41: In a computer system having a video monitor device 51 and a user input device 21, 22, Sugiyama et al (hereinafter Sugiyama) teaches a computer implemented method and corresponding system for interaction with a computer display, comprising the steps/means for:

providing a first and a second window, each displays information of different type related to an inclinational event (input event aspired, inclined to, or desired by the user),

the inclinational event generates a query utilized to collect at least first and second information related to the inclinational event from the Internet (9:15-56, 12:41-46),

accepting a command from the user, if the state of the system is in standby state, generating a display of a three dimensional environment including the first and second windows (10:12-15, 14:44-50). If the first window or second window is in focus view state, the window is displayed in a normal, head-on view (6:11-13).

- As for claim 42: The states of the windows are updated responsive to the user input (6:11-19, 10:12-15).

Claim Rejections - 35 USC § 103

3. Claims 5, 27, 30 rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Sugiyama et al.

- As for claim 5: The maximize and minimize buttons are inherently included in Sugiyama's teaching of "window" and "Windows 95 environment (8:5-11) and iconification (9:17-19). Sugiyama does not specifically teach that clicking on the maximize button of a side window moves the side window to the center head-on position, however teaches that clicking on "any" (area) of the side wall window moves the window to the center in a normal head-on position (6:11-23). Thus it appears inherently included that clicking on the maximize button of the side window would moves the window to the center position. Even if it is not, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the clicking of the maximize button to

move the window into focus center position. Motivation is for maximizing the in-focus window.

- As for claim 27: The window entering window update state in response to user selecting the window (6:6-59). The maximize and minimize buttons are inherently included in Sugiyama's teaching of "window" and "Windows 95 environment (8:5-11) and iconification (9:17-19). Sugiyama does not specifically teach that clicking on the maximize button of a side window moves the side window to the center head-on position, however teaches that clicking on "any" (area) of the side wall window moves the window to the center in a normal head-on position (6:11-23). Thus it appears inherently included that clicking on the maximize button of the side window would moves the window to the center position. Even if it is not, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the clicking of the maximize button to move the window into focus center position. Motivation is for maximizing the in-focus window.

- As for claim 30: The window entering window update state in response to user selecting the window (6:6-59). The maximize and minimize buttons are inherently included in Sugiyama's teaching of "window" and "Windows 95 environment (8:5-11) and iconification (9:17-19). Sugiyama does not specifically teach that clicking on the minimize button of a side window to enter a standby state, however teaches a taskbar with icon representing minimized window (8:5-11). Thus it appears that clicking on a minimize button to enter standby state is inherently included in Sugiyama. Even if it is not, it would have been obvious to one of skill in the art, at the time the invention was

made, to implement the clicking of the minimize button to move the window into standby state. Motivation is for reducing screen clustering. Flicking input for switching a display is well known in the art of gesture input (see US patent #6,088, 032, 10:30-57. See also #5,347,295). It would have been obvious to one of skill in the art, at the time the invention was made to combine the well known flicking input to Sugiyama for switching the window. Motivation of the combining is for the simplicity of user control.

4. Claim 5 rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Yablonski et al.

- As for claim 5: (103 Yablonski): While using the term "windows" for describing the window 12, 14, 16, Yablonski fails to clearly teach that the windows include maximize and minimize buttons. However implementation of maximize and minimize buttons for window is well known in the art of window interface. It would have been obvious to one of skill in the ar, at the time the invention was made, to combine the well known implementation of maximize and minimize buttons to Yablonski's windows. Motivation of the combining is for controlling the display of the windows.

Allowable Subject Matter

5. Claims 31, 39, 40 allowed.

The following is an examiner's statement of reasons for allowance: Claim 31, when considered as a whole, is allowable over the art of record. Specifically, prior art of record fails to

teach if the determined state is a standby state, generating a three dimensional display of the first and second windows having a visual link from information in the first window to information in the second window. Dependent claims 39-40 and restricted claims 32-38 are also allowable .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
11/12/05

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PRIMARY EXAMINER